



## ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

**Probate Status Hearing for Failure to File the Inventory and Appraisal and for  
Failure to File a First Account or Petition for Final Distribution**

<b>DOD: 01/12/01</b>		<p><b>SUSAN HOSE</b>, wife, was appointed Administrator without bond on 07/03/01. Letters of Administration were issued on 07/03/01.</p> <p><b>Notice of Status Hearing</b> filed 07/31/13 set this matter for status on 09/20/13.</p> <p><b>Declaration of Randolph Krbechek Regarding the Status of the Action and Request for Dismissal</b> filed 08/29/13 states: Mr. Krbechek and the decedent worked together and were good friends. After his untimely death, Mr. Krbechek assisted Susan Hose, the decedent's wife, with probate matters. He does not recall why a probate proceeding was started, assumably because an insurance company or similar entity demanded that Letters of Administration were obtained. Susan moved to Florida some time ago and while he had been in contact with her for some time after the decedent's death, he has not had contact with her for the past 3 years and does not have a current address. Mr. Krbechek states that he is certain that any matters requiring attention in connection with the decedent's death have long since been completed and there is no reason to keep this matter open. Mr. Krbechek requests that this probate administration be concluded.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u><b>Continued from 01/03/14</b></u></p> <p><b>Note:</b> Nothing was filed in this matter after the Letters of Administration were issued, including an Inventory &amp; Appraisal, therefore it is unclear if there ever were assets subject to administration.</p> <p>1. Need Inventory &amp; Appraisal and Account/Report of Administrator on waive of Account and Petition for Final Distribution <u>or</u> Verified Petition to terminate the probate administration (see Probate Code § 12251).</p>
<b>Cont. from 092013, 110113, 013214</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>		<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 02/13/14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 1 – Hose</b></p>	
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>		<p><b>Declaration of Randolph Krbechek Regarding Status of Action</b> filed 12/24/13 states: He has made contact with Susan Hose, who now resides in Arizona. A Petition to terminate the probate proceeding will be prepared and filed. A continuance to 02/01/14 is requested.</p>	
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			

**Probate Status Hearing Re: Failure to File the Inventory and Appraisal and for  
Failure to File a First Account or Petition for Final Distribution**

<b>DOD: 1/6/1997</b>	<p><b>VALERIE YOUNGER</b>, was appointed as Administrator with full IAEA authority and without bond on 2/5/2002.</p> <p>Letters issued on 2/5/2002.</p> <p>Inventory and appraisal was due 6/5/2002.</p> <p>First account or petition for final distribution was due 2/5/2003.</p> <p>Notice of Status Hearing was mailed to Valerie Younger on 7/31/13.</p> <p><b>Minute Order dated 10/4/13 states</b> there are no appearances. Matter continued to 11/15/13. The court orders Valerie Younger to be personally present on 11/15/13. Copy of the Minute Order was mailed to Valerie Younger on 10/8/13.</p> <p><b>Minute order dated 11/15/13 states</b> no appearances. The Court on its own motion removes Valerie Younger as the administrator and appoints the Public Administrator as the personal representative.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. <b>Need inventory and appraisal, first account or petition for final distribution or current written status report</b> pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
<b>Cont. from 100413, 111513</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 2/13/14</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 2 - Applewhite</b></p>		

**Probate Status Hearing Re: Failure to File an Inventory and Appraisal and Failure  
to File a First Account or Petition for Final Distribution**

<b>DOD: 08/01/02</b>	<p><b>HECTOR JAVIER SAENZ, JR.</b>, son, was appointed Administrator with full IAEA and without bond but with funds recovered to be deposited into a blocked account, on 10/08/02. Letters of Administration were issued on 10/09/02.</p> <p><b>Notice of Status Hearing</b> filed 09/16/13, set this matter for a Status Hearing on 11/15/13. <b>Clerk's Certificate of Mailing</b> indicates that the Notice of Status Hearing was mailed to H. Ty Kharazi on 09/16/13.</p> <p><b>Declaration of H. Ty Kharazi</b> filed 01/22/14 states: The estate has no assets whatsoever. The estate was opened because the Administrator believed that the decedent had a large bank account at Valley Oak Credit Union; however it was later determined that the decedent had a negative balance in the account. Mr. Kharazi states that he has advanced costs in this matter and has not been reimbursed. The Administrator has not responded to correspondence sent to him regarding this matter. Mr. Kharazi states that the estate is insolvent because there are no assets and money owed to creditors. Mr. Kharazi asks to be relieved as counsel and that the Court disposes of this case.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>CONTINUED FROM 11/15/13</b>  <b>Minute Order from 11/15/13 states: Ms. Johnson is appearing for attorney Kharazi. The Court is informed that attempts to contact the administrator have been made and there has been no response. Mail has either been returned or ignored. Counsel advises that there is no money in the estate.</b></p> <ol style="list-style-type: none"> <li>1. Need Inventory &amp; Appraisal.</li> <li>2. Need Account/Report on Waiver of Account and Petition for Distribution</li> <li>3. Need Status Update Report.</li> </ol>
<b>Cont. from 111513</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 02/13/14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 3 – Saenz</b></p>		

**Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution**

DOD: 08/23/02

Cont. from 111513

Aff.Sub.Wit.

Verified

Inventory

PTC

Not.Cred.

Notice of Hrg

Aff.Mail

Aff.Pub.

Sp.Ntc.

Pers.Serv.

Conf. Screen

Letters

Duties/Supp

Objections

Video Receipt

CI Report

9202

Order

Aff. Posting

Status Rpt

UCCJEA

Citation

FTB Notice

BRIAN COSTALES, son, was appointed Administrator without bond on 10/24/02. Letters of Administration were issued on 10/31/02.

Inventory & Appraisal, Final filed 12/05/02  
- \$80,000.00

Notice of Status Hearing filed 09/16/13 set this matter for status. Clerk's Certificate of Mailing indicates that the Notice of Status Hearing was mailed to Brian J. Costales on 09/16/13.

Declaration of Brian Costales filed 09/20/13 states: He was previously represented by attorney Stanton Levy, who died several years ago. He was appointed Administrator of his mother's estate several years ago. To the best of his recollection, the only asset of the estate was the decedent's residence which was sold and the proceeds of the sale were distributed between himself and two siblings as directed in the decedent's will. Mr. Levy received his fee from the sale proceeds paid directly to him by escrow. Mr. Levy advised him that everything was complete and as far as he was aware there was nothing more to be filed or accomplished. Mr. Levy died soon after these events took place. It has been a decade since all of this transpired. Unfortunately, there was a recent fire at his home (09/10/13) and therefore all of his legal papers were destroyed. Mr. Costales further states that his health is poor and hopes this can be resolved quickly so to avoid causing him greater stress and illness.

NEEDS/PROBLEMS/COMMENTS:

CONTINUED FROM 11/15/13

Minute Order from 11/15/13 states: The Court notes for the minute order that Attorney James Mele is somehow associated with Stanton Levy. The Court on its own motion removes Brian Costales as the administrator noting the removal is due to health reasons. The Court appoints the Public Administrator as the personal representative.

Letters of Administration were issued to the Public Administrator on 11/25/13.

1. Need Account/Report on Waiver of Account and Petition for Distribution.

Reviewed by: JF

Reviewed on: 02/14/14

Updates:

Recommendation:

File 4 – Costales

## Status Hearing

<b>DOD: 10-7-06</b>		<p><b>DORIS ELAINE RACKLEY</b>, Sister, was appointed Administrator with Full IAEA without bond and Letters issued on 8-28-07.</p> <p>On 7-1-08, a Creditor's Claim and Request for Special Notice was filed by the CA Franchise Tax Board.</p> <p>Substitution of Attorney filed 7-28-08 indicates that Ms. Rackley is no longer represented by Attorney Jeff Reich and is currently self-represented.</p> <p>No Inventory and Appraisal was ever filed; however, the original petition estimated that the estate consisted of personal property valued at \$8,000.00 and real property valued at \$120,000.00.</p> <p>In addition, the Court is aware that this decedent was an heir to another estate:</p> <p>A status hearing was held on 9-20-13 in the Estate of Herbert C. Hamby 07CEPR00788, of which Ms. Rackley is also the Administrator. Upon review of the status of that estate, it was learned that this decedent is a post-deceased heir of Herbert C. Hamby, but that this estate also appeared abandoned.</p> <p>Ms. Rackley was present at that hearing, and the Court continued that matter (Page 14) and also set this status hearing for the Estate of Irene Hamby.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Minute Order 11-15-13:</b> No appearances. The Court on its own motion removes Doris Rackley as the administrator and appoints PUBLIC ADMINISTRATOR as the personal representative. The Court indicates for the minute order that Ms. Rackley is being removed as a result of multiple non-appearances and an inability to be located. Continued to 2-21-14 at 9am in Dept 303.</p> <ol style="list-style-type: none"> <li>1. Need Inventory and Appraisal.</li> <li>2. Need petition for final distribution.</li> <li>3. If further hearings are held, notice may be required to FTB pursuant to Request for Special Notice, and to the heirs of this estate.</li> </ol> <p><b>Note:</b> The Decedent Irene Hamby's will devises her estate to her nephews Brian Rackley and Kevin Rackly.</p> <p><b>Note:</b> It appears that this estate may be dependent on the closure of the Estate of Herbert C. Hamby 07CEPR00788, as this estate may be a beneficiary of that estate.</p>
<b>Cont. from 111513</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			

<b>Reviewed by:</b> skc
<b>Reviewed on:</b> 2-13-14
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 6 – Hamby</b>

Atty Kruthers, Heather (for Public Administrator)

Atty Rackley, Elaine (Pro Per Administrator with Will Annexed)

## Probate Status Hearing for Failure to File a First Account or Petition for Final Distribution

<b>DOD: 9-6-05</b>		<p><b>ELAINE RACKLEY</b>, Daughter, was appointed as Administrator with Will Annexed with Limited IAEA without bond and Letters issued on 8-28-07.</p> <p>Also on 8-28-07, the decedent's will dated 4-2-75 was admitted to Probate.</p> <p>No Inventory and Appraisal was ever filed; however, the original petition estimated that the estate consisted of personal property valued at \$30,000.00 and real property valued at \$210,000.00 for a total estate value of \$240,000.00.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Continued from 9-20-13, 11-15-13</u></p> <p><u>Minute Order 11-15-13: No appearances. The Court on its own motion removes Doris Rackley as the administrator and appoints the Public Administrator.</u></p> <p><u>Note: Final I&amp;A filed 12-16-13 by the Public Administrator indicates real property valued at \$157,500.00 as of DOD, and Reappraisal filed 12-16-13 indicates a current value of \$67,500.00.</u></p> <p><b>1. Need petition for final distribution.</b></p> <p><u>Note:</u> The Administrator was formerly represented by Attorney Marvin T. Helon; however, pursuant to Substitution of Attorney filed 7-10-13, Ms. Rackley is now self-represented. (It was the filing of the Substitution that brought this overdue estate to the Court's attention. Notice of Status Hearing was mailed to Ms. Rackley on 7-30-13.)</p> <p><u>Note:</u> The beneficiaries of the estate are the decedent's three daughters: <u>Elaine Rackley</u>, <u>Marilyn Hamby</u>, and <u>Irene Hamby</u>. However, Irene Hamby is deceased, and Elaine Rackley, was also appointed as Executor of that estate on 8-28-07 in 07CEPR00763 (at the same time as this estate). It appears Elaine Rackley was represented by Attorney Jeff Reich in those proceedings until he subbed out in 2008. The Court also set that matter for status, and it was continued. See Page 6 of this calendar.</p>
<b>Cont. from 092013, 111513</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
<b>Reviewed by: skc</b>			
<b>Reviewed on: 2-13-14</b>			
<b>Updates:</b>			
<b>Recommendation:</b>			
<b>File 7 – Hamby</b>			

**Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution**

<b>DOD: 12/31/09</b>		<p><b>KAREN ANDREWS and DIANA LYNN KRELLE</b> were appointed as Co-Executors, with full IAEA authority and without bond, on 6/7/10.</p> <p>Letters issued on 6/7/10.</p> <p>I &amp; A filed on 6/7/2010 showing the estate valued at <b>\$93,559.78</b>.</p> <p><b>Status Report filed on 1/14/14</b> states creditor's claims filed against the estate total \$2,190.36. Although the creditors have not been paid it is anticipated that sufficient funds will be available to pay all creditors in full.</p> <p>Decedent's personal residence has not been sold because it will not sell for an amount sufficient to pay off the existing encumbrances. The family has agreed, and will seek court permission, to have the residence pass to a child of the decedent who will attempt to assume the existing loan. The same child is currently residing at the location and has made all loan payments and other costs of ownership.</p> <p><b>It is anticipated that a final report, account and petition for final distribution will be filed with the court within the next two weeks.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 1/17/14. Minute order states Counsel informs the court that he needs to go over some account issues.</b></p> <p>1. Need first account or petition for final distribution.</p>
<b>Cont. from 011714</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 2/14/14</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 8 – Newell</b></p>	



## Status Hearing Re: Filing of the Accounting and Petition for Final Distribution

DOD:6-30-05		<p><b>PATRICIO ALCORTA</b>, son, was appointed Administrator with Full IAEA without bond on 1-6-11. Letters issued on 1-6-11.</p> <p><b>Final Inventory and Appraisal</b> filed 7-26-11 reflects a total estate value of \$245,000.00 (residential real property only).</p> <p><b>On 11-7-12</b>, Attorney Gary L. Motsenbocker filed a motion to be relieved as counsel due to communication issues. <b>On 1-2-13</b>, the Court granted the motion and set this status hearing for the filing of the accounting and petition for final distribution. A copy of the minute order was mailed to the Administrator on 1-8-13.</p> <p><b>Minute Order 2-1-13:</b> Mr. Alcorta informs the Court that the house has been paid and the taxes are being paid by his sister. At the request of Mr. Alcorta, <b>the Court removes him as administrator and appoints the PUBLIC ADMINISTRATOR.</b> Mr. Alcorta provides contact information. Continued to 4/19/13 @ 9:00 a.m.</p> <p><b>Status Report filed 4-16-13 states</b> Mr. Alcorta informed Senior Probate Assistant Susan Banuelos that he wants to buy the house and would be trying to find funding. However, he said he would never leave his mother's house, and Ms. Banuelos heard nothing further from him. He was served a 60 day notice to vacate the premises. It is the Public Administrator's intention to sell the real property and distribute the proceeds. If Mr. Alcorta does not voluntarily vacate the premises or come up with the funds necessary to keep the home, it will be necessary to file an unlawful detainer action. Therefore, Public Administrator is not in a position to settle this estate and requests that further status hearing not be set for at least six (6) months.</p> <p><b>Status Report filed 9-30-13 states</b> an unlawful detainer action was filed 7-5-13 and heard 8-20-13. Trial was continued to 10-22-13. Medi-Cal has reduced the claim to \$34,697.52. Family members have asked about paying off the claim in order to keep the home. At this point, nothing has been settled, and the Public Administrator requests at least four months to allow time to resolve the UD action, sell the property if necessary, and do the final account.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Continued from 2-1-13, 4-19-13, 10-18-13</u></p> <p><b>Note:</b> Letters of Administration were issued to PUBLIC ADMINISTRATOR on 3-1-13.</p> <p>1. Need petition for final distribution.</p>
Cont. from 020113, 041913, 101813			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
✓ Aff.Mail	W		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
✓ Status Rpt			
UCCJEA			
Citation			
FTB Notice			

## Status Hearing Re: Filing of the Account and/or Petition for Distribution

<b>DOD: 09/29/11</b>		<p><b>PUBLIC ADMINISTRATOR</b>, was appointed Administrator and Letters of Administration were issued on 03/15/12, since that time the Public Administrator has been acting as Administrator of the Estate.</p> <p>On 08/14/12, <b>Public Administrator</b> filed a Petition to Determine Title to Real Property; For Transfer of Property to Personal Representative; For Accounting; For Constructive Trust; and For Damages for Financial Abuse of a Dependent Adult regarding a dispute with James LeMon regarding various issues concerning real property owned by the decedent.</p> <p>The parties eventually engaged in settlement talks and on 08/02/13, an Order Approving Settlement of Dispute was signed by the Court.</p> <p>A Dismissal of the Petition to Determine Title to Real Property, etc. was filed on 01/28/14.</p> <p><b>Inventory &amp; Appraisal, final</b>, filed 02/28/12 - \$232,200.00</p> <p><b>Status Report Regarding Filing a Final Account</b> filed 02/13/14 by Public Administrator states: Although a settlement agreement has been reached, the Public Administrator has not received a final fee petition from Dowling Aaron (the firm that handled the action resulting in settlement). The Administrator is not able to prepare the final account without the final fee from Dowling Aaron. A 60 day continuance is requested.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>CONTINUED FROM 01/31/14</b>  <b>Minute Order from 01/31/14 states:</b> The Court notes that a request for dismissal with this case number was filed on 01/28/14 which appears to be inappropriate and may have been intended for the civil case.</p> <p><b>As of 02/13/14, nothing further has been filed in this matter.</b></p> <p>1. Need Accounting/Report of Administrator and Petition for Distribution.</p>
<b>Cont. from 013114</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			

<b>Reviewed by:</b> JF
<b>Reviewed on:</b> 02/13/14
<b>Updates:</b> 02/14/14
<b>Recommendation:</b>
<b>File 10 – Scott</b>

**Probate Status Hearing Re: First Accounting or Petition for Final Distribution**

<b>DOD: 2/25/2011</b>		<p><b>SUSAN K. MEDINA</b> was appointed executor with full IAEA authority and without bond on 7/31/12.</p> <p>Letters issued 8/14/13.</p> <p>Inventory and appraisal, partial no. 1 filed on 1/9/13 showing a value of \$173,000.00</p> <p><b>Verified Status Report filed states</b> it has proven extremely difficult to obtain an appraisal of the property located in New Mexico. It took substantial time and several communications with a variety of New Mexico real property appraisers to finally locate a willing appraiser. The appraiser has advised that the appraisal may be completed in one or two weeks.</p> <p>It is anticipated that the estate will be ready to close once the appraisal is filed.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 10/4/13. Minute order states Counsel informs the Court that the lots are located in [New] Mexico.</b></p> <ol style="list-style-type: none"> <li>1. Inventory and Appraisal filed on 1/9/13 states it is a partial inventory. Need final inventory.</li> <li>2. Inventory and Appraisal filed on 1/9/13 includes 3 parcels of vacant land that were not appraised. Real property from another state does not belong on the inventory and appraisal.</li> </ol>
<b>Cont. from 100413</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
		<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 2/14/14</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 11 - Medina</b></p>	

<b>DOD: 8/25/12</b>		<p><b>DELIA GONZALEZ</b> was appointed as Administrator of the estate with limited IAEA and with bond set at \$100,000.00 on 10/10/12.</p> <p>Bond was filed on 10/15/12.</p> <p>Letters issued on 10/15/12.</p> <p>Inventories and appraisals were filed totaling \$2,416,144.97.</p> <p>Additional bond of \$100,000.00 was filed on 2/1/13 (total bond amount is \$200,000.00).</p> <p>Order allowing full IAEA authority signed on 2/28/2013.</p> <p><b>Status Report filed on 2/11/14</b> states all assets of the estate have been inventoried. In addition to the task of paying estate obligations, assisting in the sale of estate property, the Administrator has worked diligently with the estate's accountant to resolve outstanding issues with the Internal Revenue Service (IRS) and the Employment Development Department (EDD).</p> <p>There are two outstanding litigation issues: (1) the parties to Francisco De La Mora vs. Irtlybird, case no. 12CECG02162 have reached an agreement. (2) The Jesus Rivera vs. Delia Gonzalez case no. 12CEDB01695 is still in negotiations.</p> <p>The Decedent had an interest in 4 businesses (1) JDM Brokerage Inc. must remain open until the Jesus Rivera claim is settled. (2) JDM Transport Inc. has an outstanding EDD issue to resolve. (3) L&amp;M, Inc. has an outstanding IRS issue that must be resolved before the corporation can be sold or liquidated. (4) The sale of D.F. &amp; Associates was completed earlier this month and the administrator received the Decedent's share of the proceeds on 11/21/13.</p> <p style="text-align: center;"><b>Please see additional page</b></p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
<b>Cont. from 120613, 121213</b>				
<b>Aff.Sub.Wit.</b>				
<b>Verified</b>				
<b>Inventory</b>				
<b>PTC</b>				
<b>Not.Cred.</b>				
<b>Notice of Hrg</b>				
<b>Aff.Mail</b>				
<b>Aff.Pub.</b>				
<b>Sp.Ntc.</b>				
<b>Pers.Serv.</b>				
<b>Conf. Screen</b>				
<b>Letters</b>				
<b>Duties/Supp</b>				
<b>Objections</b>				
<b>Video Receipt</b>				
<b>CI Report</b>				
<b>9202</b>				
<b>Order</b>				
<b>Aff. Posting</b>				
<b>Status Rpt</b>				
<b>UCCJEA</b>				
<b>Citation</b>				
<b>FTB Notice</b>				
				<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 2/14/14</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 12 – De La Mora</b></p>

**Status Report cont.** Decedent had an interest in 10 parcels of real property. All but one has been sold. Both airplanes have been sold as well as the majority of vehicles. However, the Decedent's interest in a boat has yet to be sold.

Due to the recent sale of D.F. & Associates, the Administrator has decided to have the first accounting close on 11/30/13.

In spite of diligent efforts, we have not yet been able to determine which item(s) is keeping the account from being balanced. It is hoped that the first report and petition to approve the first account, will be filed with the court by 2/19/14.

**Status Hearing Re: Filing of the First Account or Petition for Final Distribution**

<b>DOD: 8/25/12</b>		<p><b>DELIA GONZALEZ</b> was appointed as Administrator of the estate with limited IAEA and with bond set at \$100,000.00 on 10/10/12.</p> <p>Bond was filed on 10/15/12.</p> <p>Letters issued on 10/15/12.</p> <p>Inventories and appraisals were filed totaling \$2,214,083.33.</p> <p>Additional bond of \$100,000.00 was filed on 2/1/13 (total bond amount is \$200,000.00).</p> <p>Order allowing full IAEA authority signed on 2/28/2013.</p> <p><b>Status Report filed on 2/11/14</b> states all assets of the estate have been inventoried. In addition to the task of paying estate obligations, assisting in the sale of estate property, the Administrator has worked diligently with the estate's accountant to resolve outstanding issues with the Internal Revenue Service (IRS) and the Employment Development Department (EDD).</p> <p>There are two outstanding litigation issues: (1) the parties to Francisco De La Mora vs. Irtbird, case no. 12CECG02162 have reached an agreement. (2) The Jesus Rivera vs. Delia Gonzalez case no. 12CEDB01695 is still in negotiations.</p> <p>The Decedent had an interest in 4 businesses (1) JDM Brokerage Inc. must remain open until the Jesus Rivera claim is settled. (2) JDM Transport Inc. has an outstanding EDD issue to resolve. (3) L&amp;M, Inc. has an outstanding IRS issue that must be resolved before the corporation can be sold or liquidated. (4) The sale of D.F. &amp; Associates was completed earlier this month and the administrator received the Decedent's share of the proceeds on 11/21/13.</p> <p style="text-align: center;"><b>Please see additional page</b></p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
<b>Cont. from 120613, 121213</b>				
<b>Aff.Sub.Wit.</b>				
<b>Verified</b>				
<b>Inventory</b>				
<b>PTC</b>				
<b>Not.Cred.</b>				
<b>Notice of Hrg</b>				
<b>Aff.Mail</b>				
<b>Aff.Pub.</b>				
<b>Sp.Ntc.</b>				
<b>Pers.Serv.</b>				
<b>Conf. Screen</b>				
<b>Letters</b>				
<b>Duties/Supp</b>				
<b>Objections</b>				
<b>Video Receipt</b>				
<b>CI Report</b>				
<b>9202</b>				
<b>Order</b>				
<b>Aff. Posting</b>				
<b>Status Rpt</b>				
<b>UCCJEA</b>				
<b>Citation</b>				
<b>FTB Notice</b>				
				<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 2/14/14</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 13 – De La Mora</b></p>

**Status Report cont.** Decedent had an interest in 10 parcels of real property. All but one has been sold. Both airplanes have been sold as well as the majority of vehicles. However, the Decedent's interest in a boat has yet to be sold.

Due to the recent sale of D.F. & Associates, the Administrator has decided to have the first accounting close on 11/30/13.

In spite of diligent efforts, we have not yet been able to determine which item(s) is keeping the account from being balanced. It is hoped that the first report and petition to approve the first account, will be filed with the court by 2/19/14.

Age: 18 years	
Cont. from 120613, 121213	
Aff.Sub.Wit.	
Verified	
Inventory	
PTC	
Not.Cred.	
Notice of Hrg	
Aff.Mail	
Aff.Pub.	
Sp.Ntc.	
Pers.Serv.	
Conf. Screen	
Letters	
Duties/Supp	
Objections	
Video Receipt	
CI Report	
9202	
Order	
Aff. Posting	
Status Rpt	
UCCJEA	
Citation	
FTB Notice	

<p><b>DELIA GONZALEZ</b>, paternal aunt, <b>RAFAEL DE LA MORA MARTIN</b> and <b>MARIA DE JESUS GOMEZ MUNOZ</b>, paternal grandparents were appointed guardians of the person on 10/31/12.</p> <p><b>DELIA GONZALEZ</b> was appointed guardian of the estate on 10/31/12.</p> <p>Letters issued on 10/31/12.</p> <p>This status hearing was set to inform the court of the status of the assets to be received from the estates of the minor's deceased parents Lorena De La Mora (page 12) and Francisco De La Mora (page 13).</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
	<p><b>Reviewed by:</b> KT</p> <p><b>Reviewed on:</b> 2/14/14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 14 – De La Mora</b></p>



**Status Hearing Re: Receipt of Assets from the Estate**

<b>Age: 16 years</b>	<b>DELIA GONZALEZ</b> , paternal aunt, <b>RAFAEL DE LA MORA MARTIN</b> and <b>MARIA DE JESUS GOMEZ MUNOZ</b> , paternal grandparents were appointed guardians of the person on 10/31/12.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>DELIA GONZALEZ</b> was appointed guardian of the estate on 10/31/12.	1. Need current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
<b>Cont. from 120613, 121213</b>	Letters issued on 10/31/12.	
<b>Aff.Sub.Wit.</b>	This status hearing was set to inform the court of the status of the assets to be received from the estates of the minor's deceased parents Lorena De La Mora (page 12) and Francisco De La Mora (page 13).	
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by: KT</b>
		<b>Reviewed on: 2/14/14</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 15 – De La Mora</b>

## Status Hearing Re: Receipt of Assets from the Estate

<b>Age: 13 years</b>	<b>DELIA GONZALEZ</b> , paternal aunt, <b>RAFAEL DE LA MORA MARTIN</b> and <b>MARIA DE JESUS GOMEZ MUNOZ</b> , paternal grandparents were appointed guardians of the person on 10/31/12.  <b>DELIA GONZALEZ</b> was appointed guardian of the estate on 10/31/12.  Letters issued on 10/31/12.  This status hearing was set to inform the court of the status of the assets to be received from the estates of the minor's deceased parents Lorena De La Mora (page 12) and Francisco De La Mora (page 13).	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
<b>Cont. from 120613 , 121213</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>	<b>Reviewed by: KT</b>	
<b>Status Rpt</b>	<b>Reviewed on: 2/14/14</b>	
<b>UCCJEA</b>	<b>Updates:</b>	
<b>Citation</b>	<b>Recommendation:</b>	
<b>FTB Notice</b>	<b>File 16 – De La Mora</b>	

17

Probate Status Hearing Re: Failure to File an Inventory and Appraisal and Failure  
 to File a First Account or Petition for Final Distribution

<b>DOD: 04/03/02</b>		<b>PATRICK J. HARRINGTON</b> , was appointed Executor without bond on 12/17/02. Letters Testamentary were issued on 12/17/02.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from 111513</b>		<b>Notice of Status Hearing</b> filed 09/16/13 set this matter for status on 11/15/13. <b>Clerk's Certificate of Mailing</b> indicates that the Notice of Status Hearing was mailed to Patrick J. Harrington in Redding, CA on 09/16/13. A letter was received on 10/16/13 indicating that Mr. Harrington no longer lived at the address the Notice was sent to. A new Notice of Status Hearing filed 10/21/13 was mailed to Mr. Harrington at an address located in Arizona.	<b>CONTINUED FROM 11/15/13</b>
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		<b>As of 02/13/14 the following remains outstanding:</b>  1. Need Account/Report on Waiver of Account and Petition for Final Distribution.
<input type="checkbox"/>	<b>Verified</b>		
<input checked="" type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>		
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<b>Inventory &amp; Appraisal, final</b> filed 12/17/13 - \$159,700.00	
			<b>Reviewed by:</b> JF
			<b>Reviewed on:</b> 02/13/14
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 18 – Harrington</b>

Atty

Torres, Marlene (Pro Per – Sister – Conservator)

Atty

Torres, Mary Ann (Pro Per – Niece – Conservator)

Probate Status Hearing Re: Terminate Conservatorship

	<p><b>MARLENE TORRES</b>, Sister, and <b>MARY ANN TORRES</b>, Niece, were appointed as Co-Conservators of the Person and Letters issued on 9-13-05.</p> <p>The Court set this status hearing regarding termination of the conservatorship on 1-21-14 and sent notice to the Conservators.</p> <p><b>Court Investigator Jennifer Young filed a report on 1-17-14.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>	
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: skc	
		Reviewed on: 2-13-14	
		Updates:	
		Recommendation:	
		File 19 – Torres	

**Probate Status Hearing Re: Failure to File the Inventory and Appraisal and or Failure to File a First Account or Petition for Final Distribution**

DOD: 3-18-05		CARLA CHEKERDEMIAN, Daughter, was appointed Executor with Full IAEA without bond and Letters issued on 6-7-05.	NEEDS/PROBLEMS/COMMENTS:
			<p>1. Attorney Mele states the estate was only opened here for authority to sign documents in connection with property /proceedings in Ohio, and after determining that there were no assets subject to probate here in Fresno, no further actions were required in this court.</p> <p><u>However, when Letters of Administration are issued, action is required.</u> The estate must be properly closed. Therefore, need petition to terminate administration pursuant to applicable law.</p> <p><u>Note:</u> The original petition estimated the estate contained real property valued at \$240,000.00. The Court may require clarification as to how it was determined that the alleged asset was not subject to administration.</p> <p><u>Note:</u> Attorney Mele’s declaration is not verified by the appointed fiduciary in this matter pursuant to Probate Code §§ 1021, 1023, and the declaration does not indicate any effort to locate the Executor to close the estate pursuant to the Court’s notice.</p>
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Probate Status Hearing Re: Failure to File the Inventory and Appraisal and or  
Failure to File a First Account or Petition for Final Distribution

<b>DOD: 11/29/2004</b>		<p><b>JAMES E. WASHBURN</b>, spouse, was appointed Executor without bond on 09/13/2005.</p> <p>Letters issued on 10/17/2005.</p> <p>Inventory and Appraisal as due on 03/2006.</p> <p>First Account or Petition for Final Distribution was due on 12/2006.</p> <p>Notice of Status Hearing was mailed to Attorney Philip M. Flanigan and James E. Washburn on 11/21/2013.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need Inventory and Appraisal and First Account or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>		
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<p><b>Reviewed by:</b> LV</p> <p><b>Reviewed on:</b> 02/13/2014</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 21 – Washburn</b></p>	

Probate Status Hearing Re: Failure to File the Inventory and Appraisal and or  
 Failure to File a First Account or Petition for Final Distribution

DOD: 12/01/2002		<p><b>JUDY RILEY</b>, daughter, was appointed Administrator with will annexed without bond on 09/06/2005.</p> <p>Letters issued on 09/06/2005.</p> <p>Inventory and Appraisal as due on 02/2006.</p> <p>First Account or Petition for Final Distribution was due on 11/2006.</p> <p>Notice of Status Hearing was mailed to Attorney Michael A. Milnes and Judy Riley on 11/21/2013.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need Inventory and Appraisal and First Account or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
Cont. from			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<div>Reviewed by: LV</div> <div>Reviewed on: 02/13/2014</div> <div>Updates:</div> <div>Recommendation:</div> <div>File 22 – Eldridge</div>	



**Probate Status Hearing Re: Failure to File the Inventory and Appraisal and or  
Failure to File a First Account or Petition for Final Distribution**

<b>DOD: 12/26/2004</b>		<p><b>JANE DIETMEYER</b>, stepdaughter, was appointed Executor with full IAEA without bond on 07/26/2005.</p> <p>Letters issued on 07/26/2005.</p> <p>Inventory and Appraisal as due on 12/2005.</p> <p>First Account or Petition for Final Distribution was due on 09/2006.</p> <p>Notice of Status Hearing was mailed to Attorney Philip M. Flanigan and Jane Dietmeyer on 11/21/2013.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need Inventory and Appraisal and First Account or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>		
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<p><b>Reviewed by:</b> LV</p> <p><b>Reviewed on:</b> 02/13/2014</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 23 – Gennoy</b></p>	

**Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution**

<b>DOD: 04/15/2005</b>	<b>MARY GALLEGOS-BATES</b> , sister, was appointed Administrator with full IAEA without bond on 08/02/2005.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Letters issued on 08/11/2005.	
<b>Cont. from</b>		
<b>Aff.Sub.Wit.</b>	Inventory and Appraisal was filed on 09/28/2005 shows an estate valued at \$200,000.00 consisting of real property.	
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>	First Account or Petition for Final Distribution was due on 10/2006.	
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	Notice of Status Hearing was mailed to Attorney Patricia Carrillo and Mary Gallegos-Bates on 11/22/2013.	
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>	<b>Status Report filed 02/14/2014</b> states on or about 04/25/2005, the Attorney was retained by the Gallegos family for the purposes of filing a Petition for Probate and to represent the Administrator, Mary Gallegos-Bates. The estate consisted of one asset, a residence owned by the decedent and no cash assets. The Attorney advised the Gallegos family that the three unsecured creditors of the Estate would have to be paid as well as the Attorney fees before the probate case would be allowed to close and the Estate asset to transfer to the beneficiaries. The Attorney requested and received two checks from the Gallegos family, one of \$600 to pay for initial expenses of the probate process and another for \$7,000.00 for the statutory attorney fees which was to be placed in an attorney trust fund account. The Attorney placed the \$7000.00 check with a back representative, Mark Higbee, at Bank of America, at the River Park Branch in Fresno, and received a deposit slip for the transaction.	
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
<b><u>Please see additional page</u></b>		<b>Reviewed by:</b> LV <b>Reviewed on:</b> 02/13/2014 <b>Updates:</b> 02/18/2014 <b>Recommendation:</b> <b>File 24 – Gallegos</b>

Approximately two months later the Attorney walked into the River Park Branch of Bank of America and inquired into the status of the attorney trust fund account and was told by the manager that the check had been lost and that a trust fund account had never been established. The Attorney immediately called the Gallegos family and informed that another check for \$7,000.00 needed to be written to the Attorney and explained the situation. The Gallegos family then informed the Attorney that the entire amount of \$7,000.00 that had been on deposit with the Gallegos family had been spent by the Gallegos family and that no other funds were available for the payment of the Attorney's fees or creditor claims.

On or about 03/08/2006, the Attorney sent a letter and billing statement to the Administrator requesting payment of the attorney's fees. A second letter dated 05/25/2006 was sent to the Administrator from the Attorney and then a third dated 08/11/2006. The Attorney also made numerous phone calls to inquire into the status of the Gallegos family's ability to pay the unsecured creditor's claims and the attorney's fees. During 2006, the most of the phone calls by the Attorney to the Administrator were never answered or returned. During the period between 04/25/2005 through the entire year of 2006, the attorney continued with the production and filing of all required documents for the administration of the Estate.

On or about 12/18/2006, the Attorney received a phone call from Fresno Attorney, Susan Moore, who informed that the Gallegos family had hired her office to prepare a Petition for Probate for the identical decedent and that the Gallegos family had never mentioned any previously filed probate case or their relationship with the Attorney's office. Attorney Moore's office did not realize the misrepresentations by the Gallegos family until the Petition for Probate and corresponding documents prepared by Attorney Moore's officer presented to the probate clerk's office.

The Attorney apologized to Attorney Moore for the behavior of the Gallegos family, then immediately made a phone call to the Administrator which was never answered or returned. On or about 04/27/2007, the Attorney received a check for the attorney's fees in the amount of \$7,000.00 and later that month, the attorney received confirmation from all three unsecured creditors that their claims had been paid.

On or about 07/19/2007 the Attorney sent a letter to the Administrator requesting that she contact the Attorney's office for an appointment to review the case and prepare the final documents for the Estate. Throughout 2007, 2008 and 2009, the Attorney sent subsequent letters and made numerous phone calls requesting that the Administrator contact the Attorney for purposes of finalizing the probate documents and the Administrator never replied.

On or about 11/22/2013 the Attorney received a court notice entitled Notice of Status Hearing. On 11/22/2013, the Attorney immediately attempted to call the Administrator from the contact phone number in the case file, however the number had been disconnected. The Attorney then found another number which was for the Administrator's daughter and called and was able to acquire the current phone number for the Administrator.

On or about 11/23/2013 the Attorney called the Administrator and spoke to her for approximately two minutes before the phone line was abruptly cut off. The Administrator acknowledged the Attorney in a rude and abrasive manner and made her intentions clear that she would not meet with the Attorney or discuss the case.

**Please see additional page**

The Administrator also made comments about the possible status of the Estate property but before the Attorney could retrieve any details from the Administrator, the phone call ended abruptly. The Attorney immediately called the Administrator and left a detailed voice message. The Administrator never returned the call. The Attorney also called the Administrator's daughter to leave a message and the daughter informed the Attorney that the Administrator would not be calling the Attorney back.

Due to the Administrator's refusal to communicate with the Attorney, the Attorney has not been able to verify the status of the Estate property or the current mailing address for the beneficiaries. The Attorney has reason to believe that one or two of the beneficiaries may be currently deceased.

On or about 12/06/2013, the Attorney sent a letter to the Administrator via certified mail and regular U.S. mail, a copy of the letter and certified mailing receipt, restating the lack of communication by the Administrator and that the Attorney would be filing a Motion to Withdraw as Attorney of Record. The attorney also advised the Administrator to seek new legal counsel.

On or about 02/14/2014, the Attorney filed a Motion to Withdraw as Attorney or Record.

Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution

DOD: 05/01/05		<p><b>KIMIKO SMALL</b>, daughter, was appointed Executor with full IAEA and without bond on 08/08/05. Letters Testamentary were issued on 08/02/05.</p> <p><b>Inventory &amp; Appraisal, final</b> filed 06/04/13 - \$240,500.00</p> <p><b>Notice of Status Hearing</b> filed 11/22/13 set this matter for status regarding failure to file a First Account or Petition for Final Distribution.</p> <p><b>Clerk's Certificate of Mailing</b> indicates that the Notice of Status Hearing was mailed to attorney Linda Durost and Kimiko Small on 11/22/13.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need First Account or Petition for Final Distribution.</p>
Cont. from			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<div>Reviewed by: JF</div> <div>Reviewed on: 02/14/14</div> <div>Updates:</div> <div>Recommendation:</div> <div>File 25 – Myers</div>	

Probate Status Hearing Re: Failure to File the Inventory and Appraisal and or  
 Failure to File a First Account or Petition for Final Distribution

DOD: 02/07/05		<p><b>GRACE STUCKEY</b>, daughter, was appointed Executor with full IAEA and without bond on 12/13/05. Letters Testamentary were issued on 12/13/05.</p> <p><b>Notice of Status Hearing</b> filed 11/21/13 set this matter for status regarding failure to file a First Account or Petition for Final Distribution.</p> <p><b>Clerk's Certificate of Mailing</b> indicates that the Notice of Status Hearing was mailed to attorney Nancy LeVan and Grace Stuckey on 11/21/13.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>2. Need Inventory &amp; Appraisal.</p> <p>3. Need First Account or Petition for Final Distribution.</p>
Cont. from			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
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Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 02/14/14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 26 – Hayes</b></p>	

**Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution**

<b>DOD: 04/17/03</b>		<p><b>ANNA M. WINGERT</b>, spouse, was appointed Executor with full IAEA and without bond on 12/13/05. Letters Testamentary were issued on 12/15/05.</p> <p><b>Inventory &amp; Appraisal, final</b> filed 11/09/06 - \$6,000.00</p> <p><b>Notice of Status Hearing</b> filed 11/22/13 set this matter for status regarding failure to file a First Account or Petition for Final Distribution. <b>Clerk's Certificate of Mailing</b> indicates that the Notice of Status Hearing was mailed to attorney Melvin Rube and Anna Wingert on 11/22/13.</p> <p><b>Declarations of Melvin Rube and Kevin Wingert re Status Report</b> filed 02/14/14 state: the only asset of the estate was a settlement in the net amount of \$4,191.55. The personal representative, Anna Wingert, died on 12/14/06. Anna received the proceeds of the settlement and it is unknown what she did with the funds. All other assets of the Decedent were held in a Trust established by Decedent and Anna that was distributed by the heirs after Anna's death. Due to Anna's death there is currently no acting personal representative of this estate. Declarant's state that it appears that the estate is insolvent at this time. None of the residual beneficiaries would qualify for a fee waiver and none are willing to pay a filing fee to file a petition for appointment of successor personal representative or pay a second filing fee to file a Report of personal representative to close the estate. None of the residual beneficiaries are interested in proceeding further with this matter and would like the court to dismiss the action. Attorney Rube waives attorney's fees for ordinary or extraordinary fees.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>4. Need First Account or Petition for Final Distribution.</p>
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>		
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
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<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

<b>Reviewed by:</b> JF	
<b>Reviewed on:</b> 02/14/14	
<b>Updates:</b> 02/18/14	
<b>Recommendation:</b>	
<b>File 27 – Wingert</b>	

Probate Status Hearing Re: Failure to File the Inventory and Appraisal and or  
 Failure to File a First Account or Petition for Final Distribution

<b>DOD: 08/15/04</b>		<p><b>CAROLYN LEWIS</b>, daughter, was appointed Executor with full IAEA and without bond on 12/06/05. Letters Testamentary were issued on 12/08/05.</p> <p><b>Notice of Status Hearing</b> filed 11/21/13 set this matter for status regarding failure to file a First Account or Petition for Final Distribution.</p> <p><b>Clerk's Certificate of Mailing</b> indicates that the Notice of Status Hearing was mailed to attorney Philip M. Flanigan and Carolyn Lewis on 11/21/13.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>5. Need Inventory &amp; Appraisal.</p> <p>6. Need First Account or Petition for Final Distribution.</p>
<b>Cont. from</b>			
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>			
<input type="checkbox"/> <b>Verified</b>			
<input type="checkbox"/> <b>Inventory</b>			
<input type="checkbox"/> <b>PTC</b>			
<input type="checkbox"/> <b>Not.Cred.</b>			
<input type="checkbox"/> <b>Notice of Hrg</b>			
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<input type="checkbox"/> <b>Conf. Screen</b>			
<input type="checkbox"/> <b>Letters</b>			
<input type="checkbox"/> <b>Duties/Supp</b>			
<input type="checkbox"/> <b>Objections</b>			
<input type="checkbox"/> <b>Video Receipt</b>			
<input type="checkbox"/> <b>CI Report</b>			
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<input type="checkbox"/> <b>UCCJEA</b>			
<input type="checkbox"/> <b>Citation</b>			
<input type="checkbox"/> <b>FTB Notice</b>			
		<div>Reviewed by: JF</div> <div>Reviewed on: 02/14/14</div> <div>Updates:</div> <div>Recommendation:</div> <div>File 28 – Geise</div>	



**Probate Status Hearing Re: Failure to File the Inventory and Appraisal and or  
Failure to File a First Account or Petition for Final Distribution**

<b>DOD: 12/24/04</b>		<p><b>PAMELA LASSLEY</b>, daughter, was appointed Executor with full IAEA and without bond on 06/07/05. Letters Testamentary were issued on 06/07/05.</p> <p><b>Notice of Status Hearing</b> filed 11/21/13 set this matter for status regarding failure to file a First Account or Petition for Final Distribution. <b>Clerk's Certificate of Mailing</b> indicates that the Notice of Status Hearing was mailed Pamela Lassley on 11/21/13.</p> <p><b>Status Hearing Report</b> filed 01/17/14 by Pamela Lassley states: She was appointed as Executor of the estate on 06/07/05. At that time she was represented by attorney Dorsey K. Dwelle. Ms. Lassley states that she was under the impression that the estate administration had been completed and only became aware that it was still open upon receiving the Notice of Status Hearing. Mr. Dwelle died on 04/06/07. Checking through her records, she found a cancelled check for the Probate Referee and was able to obtain a copy of the Inventory &amp; Appraisal and asks that the court treat it as an original. Further, she has copies of Notice of Proposed Action with proofs of service filled in and signed. There does not appear to be any response to the Notice of Proposed Action and they have not been filed. The real property asset of the estate was sold in May 2005. Ms. Lassley is in possession of all of the escrow documents. Disbursements were made and Ms. Lassley has all of the documentation. She will prepare a Petition for Final Distribution based on what was done.</p> <p><b>Supplemental Declaration of Pamela Lassley</b> filed 01/27/14 attaches a copy of the Inventory &amp; Appraisal that was signed 06/07/05 valuing the assets of the estate at \$149,000.00.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>7. Need First Account or Petition for Final Distribution.</p>	
<b>Cont. from</b>				
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			
<input type="checkbox"/>	<b>Verified</b>			
<input checked="" type="checkbox"/>	<b>Inventory</b>			
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<input type="checkbox"/>	<b>Not.Cred.</b>			
<input type="checkbox"/>	<b>Notice of Hrg</b>			
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<input type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			
				<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 02/14/14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 29 – Sharrah</b></p>